GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Water Resources Department – Allegation of Misappropriation of NREGS funds to a tune of Rs.15,20,293/- in collusion with non-officials in execution of Minor Irrigation Tank in Devarampadu (V) Rajupalem (M), Guntur District against Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda presently working in O&M Section Vinukonda Guntur District (now Deputy Executive Engineer, ISRMC Division No.5, VJA) - Prosecution sanctioned and kept in abeyance – Further action dropped against Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda presently working in O&M Section Vinukonda Guntur District by withdrawing the prosecution orders – Orders – Issued.

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WATER RESOURCES (VIGILANCE-I) DEPARTMENT

G.O.Ms.No.41 Dated: 01.09.2021

Read the following:-

1. U.O.Note No.19643/Vig.IV/A1/2014-1, dt.20.02.2015 of the Panchayat Raj& Rural Development (Vig.IV) Dept.,
2. From the DG, ACB, Hyderabad, Lr.No.C.No.102/RCO-VGT/2010- S.17, Dated 27.10.2014.
3. G.O.Ms.No.45, Water Resources (Vig.I) Department, dt.06.05.2015.
4. Representation, dt.28.05.2015 of A.O Sri V.Venkatappa Reddy, former AEE, O&M Section, Bellamkonda.
5. Govt.Memo.No.2319/Vig.I/A2/2015-1,dated 23-6-2015
6. G.O.Ms.No.104, Water Resources (Vig.I) Dept., dt.24.09.2015.
7. From the DG, ACB, Vijayawada, Lr.No.C.No.102/RCO-VGT/2010-S.09, Dated 09.12.2015, 27.01.2016, 30.04.2016,25.07.2016 and 24-4-2019, 20- 7-2020
8. Govt.Memo.No.2319/Vig.I/A2/2015-17, W.R(Vig.I) Dept., dt.17.09.2020.
9. From the ENC(AW), WRD, Vijayawada, Lr.No.RC/ENC/Vig./AD(V1)/AEE1/8410/2010., Dt.07.01.2021.

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ORDER:

And whereas, in the reference 1st read above, it has been brought to the notice of the Government that, Misappropriation of NREGS funds to a tune of Rs.15,20,293/- in collusion with non-officials in execution of Minor Irrigation Tank in Devarampadu (V) Rajupalem (M), Guntur District against Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda presently working in O&M Section Vinukonda Guntur District (now Deputy Executive Engineer, ISRMC Division No.5, VJA).

2. And whereas, in the reference 2nd read above, the Director General, Anti- Corruption Bureau, Hyderabad while submitting final report, has recommended to issue Prosecution in the Court of Law under Section 13(1)(C) & (d) of PC Act, 1988 Section 406,409,120-B r/w rule 34 of IPC against V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda.

(P.T.O)

3. And whereas, in the reference 3rd read above, the Government after careful consideration of the reports and rules in force, have accorded sanction for prosecution against Accused Officer Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda.

4. And whereas, in the reference 4th read above, after issue of prosecution orders, Sri V.Venkatappa Reddy, former Assistant Executive Engineer, in his representation has requested to review the case and withdraw prosecution orders. Accordingly, after careful examination of the matter, the sanction of prosecution issued against Sri V.Venkatappa Reddy, former Assistant Executive Engineer are kept abeyance till further orders vide reference 6th read above.

5. And whereas, in the reference 7th read above, the Director General, Anti Corruption Bureau, Vijayawada while quoting certain court judgments has requested the Government to cancel the abeyance orders and issue orders for prosecution of Accused Officer.3 Sri V.Venkatappa Reddy, the then Assistant Executive Engineer by restoring orders issued in the reference 3rd read above.

6. And whereas, in the reference 8th read above, the Engineer -in -Chief (AW), Water Resources Department, Vijayawada has been requested to furnish the certain information, immediately, for taking further necessary action in the matter. In this regard the Engineer -in -Chief (AW) has submitted report as called for by the Government on the misappropriation of NREGS funds in execution of Minor Irrigation Tank in Devarampadu (V) Rajupalem Mandal Guntur (District) by Sri. V. Venkatappa Reddy, former Assistant Executive Engineer & other non- officials vide reference 9th read above.

a) The Engineer-in-Chief (AW), Hyderabad in his letter dated 8-2-2016 has reported that the charges levelled against Sri V.Venkatappa Reddy and further action dropped after departmental enquiry is undoubtedly and meaning fully is one and same to the Crime No.12/RC)-ACB-VJA/2010 dated 02-7-2010.

b) The Superintendent Engineer, in his letter dt.19-1-2016 has reported that the Hon'ble Lokayukta in Complaint No.671/2009/B1 ordered the District Collector, Guntur to take appropriate action against the persons for misuse and misappropriation in respect of Mandals specified as well as the officers, for recovery of the amount by instituting disciplinary proceedings vide Letter Dis.No.671/2009/B1/Lok/705/2010, dated 16-2-2010. As directed by the Lokayukta, the Engineer-in-Chief, the inquiry officer conducted enquiry and submitted his report twice which were also examined by the Collector & District Programme Co-ordinator, MGNREGS, DWMA, Guntur and offered no further remarks, and finally the charged officer was exonerated of the charges and further action was dropped against him on 12-3-2013.

7. And whereas, the matter has been examined in detail with reference to the disciplinary case on the same issue initiated against the Accused

(P.T.O)

Officer-3., remarks of Engineer-in-Chief (AW) and also report of Anti Corruption Bureau authorities, the following are observed:-

i) A complaint on same charges was fled before Hon'ble Lokayukta, (Statutory Institute for enquiry into allegations of corruption) by Complaint No:1139/2010/B1.

ii) On the intervention of Hon'ble Lokayukta & at the instance of District Collector, enquiries were made by Engineer-in Chief (Adm) and pending enquiry, Accused Officer was suspended.

iii) On receipt of enquiry report, District Collector sought further clarifications and same were furnished by Enquiry Officer.

iv) After receipt of further clarifications, District Collector & Programme Coordinator, Guntur has not offered any further remarks and hence enquiry report has been accepted by Hon'ble Lokayukta and case is closed vide his orders Dt:05-03-2013.

V) Further consequent to orders of Hon'ble Lokayukta, Project Director, DWMA, Guntur in his Letter Rc.No.890/2010/SA.2, Dated: 24-02-2014 reported & concluded as follows:

"In view of the above aforesaid references 2 to 4 cited above, the undersigned has concluded that the involvement of Sri V.Venkatappa Reddy, the then Assistant Executive Engineer, Irrigation Department (I & CAD), Rajupalem in the work ID mentioned at Para No.1 above is treated as NIL and financial deviation shown against the Assistant Executive Engineer in the Social Audit is dropped".

Vi) Enquiry conducted by Department is on the directions of District Collector, Guntur, consequent to complaint made before Hon'ble Lokayukta, but not initiated by Department itself voluntarily. The Anti Corruption Bureau statement as "The Accused Officer. 3 was appointed as Assistant Executive Engineer in the year 2004 and he has completed 7 years of service and there was no need for anybody to guide him " is not based on facts, as Assistant Executive Engineer has put in only 4 years of service and is stated to be in charge of O& M Section of NSRC, in addition to 2 other sections.

vii) Without giving even minimal training to familiarize on the guidelines & procedures of the new scheme introduced by Government of India to be implemented by Panchayat Raj & Rural Development Department, assigning the additional responsibilities to a junior most incumbent of other Department shall be treated as gross negligence on the part of District officials in charge of programme. Further action on other Senior Officers of the Scheme was dropped on the recommendations of District Collector.

viii). In view of the above & more specifically in view of conclusion of PD, DWMA, Guntur in his Letter Dt:24-02-2014, no further action is needed in respect of the Accused Officer.

(P.T.O)

8. Government after careful re-consideration of the matter, is hereby drop further action against Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda presently working in O&M Section Vinukonda Guntur District (now Deputy Executive Engineer, ISRMC Division No.5, VJA) duly withdrawing the prosecution orders issued vide G.O.Ms.No.45, Water Resources (Vig.I) Department dt.06.05.2015 against him.

9. The Director General, Anti corruption Bureau, Vijayawada and the Engineer -in- Chief, Water Resources Department, Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SYAMALA RAO JAMJAM
SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (AW), Water Resources Department, D.No:48-10-9/1, N.H.Feeder Road, Currency Nagar, Vijayawada-520008.
The Director General, Anti-Corruption Bureau, Andhra Pradesh, 2nd Floor, N.T.R. Admn. Block, Pandit Nehru Bus Station, Vijayawada-520001.

Copy to:-

Sri V.Venkatappa Reddy, former Assistant Executive Engineer, O&M Section, Bellamkonda presently working in O&M Section Vinukonda Guntur District (now DEE, ISRMC Division No.5, VJA) through Engineer-in-Chief (AW), Water Resources Department
The Secretary to Andhra Pradesh Vigilance Commission, A.P.Secretariat, Amaravati.
Sf/Sc.

// FORWARDED:: BYORDER//

SECTION OFFICER